

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WA.No. 1248 of 2007()

AGAINST THE JUDGEMENT IN WPC.16030/2007 Dated 28/05/2007

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APPELLANT:

Smt. A.R. Helen, aged 30 years, D/o. J. Antony,
working as L.D. Typist, Office of the District Electrical Inspector,
Thiruvananthapuram, residing at
"Salem Nivas", Pipe Line Road, Ravi Nagar, Peroorkada P.O.,
Thiruvananthapuram.

BY ADV. SRI.P.PUSHPARAJAN
SRI.RAJA. P.R.S.

RESPONDENTS:

1. State of Kerala, represented by the Electricity (Power) Secretary,
Government Secretariat, Thiruvananthapuram.
2. The Chief Electrical Inspector, Office of the Chief Electrical Inspector
Housing Board Buildings, Thiruvananthapuram.
3. The District Electrical Inspector, Office of the
District Electrical Inspector, Corporation Buildings,
Thiruvananthapuram.

BY GOVERNMENT PLEADER SHRI. SANDESH RAJA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S.Radhakrishnan

&

Antony Dominic, JJ.

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W.A.No.1248 of 2007

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Dated this the 31st day of May, 2007.

JUDGMENT

Radhakrishnan,J.

Writ Petition was preferred for a writ of mandamus directing the respondents to allow the petitioner to continue in service under the second respondent and also for regularising the petitioner's service. Petitioner is a physically handicapped woman. Petitioner submits that as per Section 47(1) of the Persons With Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 (Act 1 of 1996), the respondents are bound to allow the petitioner to continue in service even after the expiry of the period mentioned in Ext.P1. Petitioner was appointed under Rule 9(a)(i) of the Kerala State and Subordinate Services Rules for a period of 179 days. Since she has completed 179 days, steps have been taken to terminate her service, which we cannot stall in a writ proceedings. Counsel for the petitioner submitted that since the petitioner is a physically handicapped person, she is entitled to the benefit of the above Act, a

matter for the authorities under the Act to consider above which, we express no opinion. We therefore find no error in the view expressed by the learned single Judge.

Writ Appeal is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.